

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

:  
Plaintiff,

:  
vs. Case No. 3:07cr17

:  
TIMOTHY HAROLD PEARSON, JUDGE WALTER HERBERT RICE

:  
Defendant.

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DECISION AND ENTRY OVERRULING DEFENDANT'S *PRO SE*  
MOTION TO TERMINATE PROBATION, WITHOUT PREJUDICE TO  
RENEWAL AFTER DATE CERTAIN

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The Defendant's *pro se* Motion to Terminate his supervised release which began July 16, 2010 (Doc. #34), is overruled, without prejudice to renewal on or after November 28, 2012.

According to a memorandum from United States Probation Officer Brett L. Handmaker, under date of February 28, 2012, it appears that the Defendant has met eight of the nine criteria for assessing whether an offender should be recommended for early termination. The one exception is the requirement which requires him to make "progressive strides toward supervision objectives and in compliance with all conditions of supervision." Probation Officer Handmaker believes that Defendant is not making a concerted effort to pay the restitution to

the best of his ability, given his failure to make payments in five of his then-last fifteen months of supervision, in spite of the fact that his income has tripled since he initially entered into the payment agreement with the Court.

Accordingly, the Defendant's *pro se* Motion to Terminate Supervision (Doc. #34) is overruled, without prejudice to his renewal of same on or after November 28, 2012. At that time, this Court will review the status of and effort behind the Defendant's efforts to make restitution.

July 13, 2012

  
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WALTER HERBERT RICE  
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record  
Timothy Harold Pearson, *Pro Se*  
Brett L. Handmaker, United States Probation Officer